

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT

MUR: 7423

Respondents: Friends of Jose Torres  
and Jason Kopas, as Treasurer  
("the Committee")<sup>1</sup>

Complaint Receipt Date: July 10, 2018

Response Date: No response received

EPS Rating:

Alleged Statutory

52 U.S.C. §§ 30104(a)(2)(A)(iii), (b); 30120(a)(1)

Regulatory Violations:

11 C.F.R. §§ 104.3; 104.5(a)(1); 110.11

The Complaint alleges the Committee failed to file a 2018 April Quarterly Report and failed to include a proper disclaimer on its website.<sup>2</sup>

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the *de minimis* amount raised and spent by the Committee, we recommend that the Commission dismiss

<sup>1</sup> Torres was a 2018 candidate for the U.S. House of Representatives in Arizona's Fifth Congressional District. Friends of Jose Torres is his principal campaign committee.

<sup>2</sup> Respondents did not file a response to the Complaint. However, a review of the Committee's late-filed 2018 April Quarterly Report and 2018 July Quarterly Report shows that the Committee raised approximately \$8,000 and spent approximately \$10,000 during the 2018 election cycle. The website, referenced by the Complainant, reflects at the bottom of the first page "PAID FOR BY FRIENDS OF JOSE TORRES," followed by "Authorized By Jose Torres." See <http://torresforcongress.com/> (last accessed on February 21, 2019).

the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

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2/28/2019  
Date

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